

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. to 8. (Canceled).

~~9.~~ (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, including:

forming at least a first nitride-based semiconductor layer, including an active layer of said nitride-based semiconductor light emitting device; and

forming a current narrowing structure on said at least a first nitride-based semiconductor layer, comprising:

forming, on said at least a first nitride-based semiconductor layer, a mask of a material including nitrogen as a constituent element, and then

selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask.

~~10.~~ (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~9~~, wherein said material including nitrogen as the constituent element is silicon nitride.

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11. (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~10~~² wherein the coverage of said mask is not greater than 50%.

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12. (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~9~~¹, the step of forming at least a first nitride-based semiconductor layer comprising:

forming on a substrate at least a nitride-based semiconductor layer of a first conductivity type,

forming at least one nitride-based semiconductor layer including at least [[an]] said active layer, and

forming at least one nitride-based semiconductor layer of a second conductivity type,

wherein the opening in said mask is stripe-shaped, and said at least a second nitride-based semiconductor layer includes a nitride-based semiconductor layer of the second conductivity type.

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13. (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~12~~⁴ wherein said material including nitrogen as the constituent element is silicon nitride.

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~~14.~~ (Original): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~13~~ wherein the coverage of said mask is not greater than 50%.

15.- 26. (Canceled).

~~27.~~ (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, including:

forming at least a first nitride-based semiconductor layer, including an active layer of said nitride-based semiconductor light emitting device; and

forming a structure on said at least a first nitride-based semiconductor layer, said structure confining light of said nitride-based semiconductor light emitting ~~light-emitting~~ device in a horizontal direction in parallel to a substrate, comprising:

forming, on said at least a first nitride-based semiconductor layer, a mask of a material including nitrogen as a constituent element, and then

selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask.

~~28.~~ (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~27~~ wherein said material including nitrogen as the constituent element is silicon nitride.

29. (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 27 wherein the coverage of said mask is not greater than 50%.

30. (Currently amended): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 27, the step of forming at least a first nitride-based semiconductor layer comprising:

forming on the substrate at least one layer including at least a nitride-based semiconductor layer of a first conductivity type,

forming at least one nitride-based semiconductor layer including at least [[an]] said active layer, and

forming at least one nitride-based semiconductor layer including a semiconductor layer of a second conductivity type,

wherein the opening in said mask is stripe-shaped, and said at least a second nitride-based semiconductor layer includes a nitride-based semiconductor layer of the second conductivity type.

31. (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim 30 wherein said material including nitrogen as the constituent element is silicon nitride.

~~32~~¹². (Previously presented): A method for fabricating a nitride-based semiconductor light emitting device, claimed in Claim ~~31~~¹¹ wherein the coverage of said mask is not greater than 50%.

~~33~~¹³. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 1, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.

~~34~~¹⁴. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim ~~12~~⁴, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.

35. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 27, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.

36. (New): A method for fabricating a nitride-based semiconductor light emitting device claimed in Claim 30, wherein said selectively crystal-growing at least a second nitride-based semiconductor layer in an opening of said mask further comprises:

growing said at least a second nitride-based semiconductor layer in said opening at a growth temperature which is higher than a temperature where the material of said mask is decomposed,

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while growing said at least a second nitride-based semiconductor layer, suppressing decomposition of the mask by having a partial pressure of nitrogen that balances separation of nitrogen from said mask with absorption of nitrogen to said mask.